

Message Text

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ORIGIN L-03

INFO OCT-01 EUR-12 IO-13 ISO-00 OES-07 SP-02 NSC-05
NASA-01 DOE-15 ACDA-12 CIAE-00 DODE-00 PM-05
INR-10 NSAE-00 SOE-02 SS-15 NRC-05 /108 R

DRAFTED BY L:L/UNA:DPSTEWART:MAB
APPROVED BY L:L/UNA:DPSTEWART
OES/APT/SA:IMPIKUS
IO/UNP:DAMACUK
EUR/SOV:GMATTHEWS
EUR/CAN:JROUSE
S/P:WGATHRIGHT
NSC:BHUBERMAN
OSTP:AMORRISSEY
NASA/LI-15:SDOYLE

-----126539 250425Z /62

R 242359Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA
INFO AMEMBASSY MOSCOW
USMISSION USUN NEW YORK
USMISSION GENEVA

C O N F I D E N T I A L STATE 077342

GENEVA FOR USDEL OUTER SPACE LEGAL SUBCOMMITTEE

E.O. 11652: GDS

TAGS: TSPA, UN

SUBJECT: LEGAL ASPECTS OF COSMOS 954

REF: (A) STATE 61119, (B) STATE 72346

1. ERIC WANG (EXTAFF LEGAL OPERATIONS DIVISION) CALLED ON
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DEPARTMENT LEGAL ADVISER'S OFFICE (STEWART, L/UNA) BRIEFLY
AFTERNOON MARCH 22 TO DISCUSS THE ISSUE OF INCLUDING COSTS
OF US ASSISTANCE IN COSMOS 954 SEARCH AND RECOVERY OPERA-
TION IN THE CANADIAN CLAIM AGAINST SOVIET UNION UNDER 1972
LIABILITY CONVENTION. WANG EXPRESSED APPRECIATION FOR
"VERY HELPFUL LETTER" FROM AMEMB OTTAWA CONVEYING MESSAGE
REF A. SAID GOC HAD NOT YET DECIDED WHETHER TO INCLUDE US

COMPONENT IN CLAIM AND NOTED REPLY TO EMBASSY IS BEING PREPARED WHICH WILL PROPOSE FURTHER CONSULTATIONS BEFORE DECISION IS MADE. HE SUGGESTED MEETING OF 2 OR 3 REPRESENTATIVES FROM EACH SIDE DURING THE WEEK OF APRIL 10, IN WASHINGTON IF WE WISH, AND SAID IT WOULD BE HELPFUL TO HAVE A ROUGH IDEA OF THE DOLLAR AMOUNTS INVOLVED IN US ASSISTANCE AT THAT MEETING.

2. WANG SAID THAT THE GOC EXPECTS TO SUBMIT A PRELIMINARY CLAIM TO THE SOVIET UNION EARLY THIS SUMMER (POSSIBLY MAY OR JUNE) AND WOULD LIKE TO HAVE THE ISSUE OF US COSTS

RESOLVED BEFORE THAT TIME. HE INDICATED PRIVATELY THAT WHILE NO FORMAL DECISION HAS BEEN TAKEN, THE INCLINATION AT THIS POINT IS NOT RPT NOT TO INCLUDE US COMPONENT, IN ORDER TO AVOID FURTHER COMPLICATING THE TASK OF JUSTIFYING AND SUBSTANTIATING CANADIAN COSTS.

3. ASKED WHETHER THERE HAD BEEN A RESPONSE TO THE REPORTED GOC INVITATION TO HAVE SOVIET EXPERTS COME TO OTTAWA TO "EXAMINE PIECES" OF COSMOS 954 (REF B), HE SAID THAT THE INVITATION WAS IN FACT ONLY TO HAVE TECHNICAL EXPERTS COME FROM MOSCOW TO DISCUSS TECHNICAL ASPECTS OF THE REACTOR, IN ORDER TO ASSIST IN SEARCH AND RECOVERY. ONLY SOVIET RESPONSE TO DATE HAS BEEN A NOTE SUPPLYING ADDITIONAL INFORMATION, WHICH WANG OFFERED TO SHARE WITH CONFIDENTIAL

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EMBASSY OTTAWA.

4. ASKED WHETHER GOC HAD REACHED A DECISION ON POSSIBLE PARTICIPATION OF SOVIET OBSERVERS IN SEARCH AND RECOVERY, HE SAID THAT FOR OPERATIONAL AND SECURITY REASONS, THIS OPTION HAS "PRETTY MUCH" BEEN REJECTED. GOC NOW CONSIDERING INSTEAD TO OFFER PERIODIC BRIEFINGS TO SOVIET EMBASSY IN OTTAWA ON STATUS OF OPERATIONS. HE DOUBTED SOVIETS WOULD ACCEPT SUCH INVITATION.

5. FOR OTTAWA. DEPARTMENT WOULD APPRECIATE EMBASSY FOLLOWING UP ON WANG'S OFFER PARA 3 AND TRANSMITTING TEXT TO WASHINGTON BY CABLE.

6. OTTAWA 1445 AND 1452 JUST RECEIVED. DEPARTMENT APPRECIATES PROMPT REPORTING OF TEXT OF WANG'S MARCH 21 REPLY AS OUTLINED PARAS 1 AND 2, AND CLARIFICATION OF CANADIAN INVITATION AS DESCRIBED PARA 3 ABOVE. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COSTS, TECHNICAL ASSISTANCE, COSMOS 954, SURVEILLANCE SATELLITES
Control Number: n/a
Copy: SINGLE
Draft Date: 24 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE077342
Document Source: CORE
Document Unique ID: 00
Drafter: L/UNA:DPSTEWART:MAB
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780131-0787
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780326/aaaaavrq.tel
Line Count: 112
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e6b4adbd-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 STATE 61119, 78 STATE 72346
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3205908
Secure: OPEN
Status: NATIVE
Subject: LEGAL ASPECTS OF COSMOS 954
TAGS: TSPA, UN
To: OTTAWA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/e6b4adbd-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014